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Attorneys for Plaintiff and Counter Defendant
 UTICA Mutual Insurance Company

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA - SAN FRANCISCO DIVISION

UTICA MUTUAL INSURANCE COMPANY,

Plaintiff,

v.

HAMILTON SUPPLY COMPANY
 INCORPORATED, a California corporation,

Defendant;

LIBERTY MUTUAL INSURANCE
 COMPANY,

Defendant-in-Intervention,

LIBERTY MUTUAL INSURANCE
 COMPANY,

Counter Claimant,

v.

UTICA MUTUAL INSURANCE COMPANY,
 ET AL.,

Counter Defendant.

CASE NO.: 3:06-cv-07846-SI

**[PROPOSED] ORDER DISMISSING UTICA
 MUTUAL INSURANCE COMPANY'S
 COMPLAINT AND LIBERTY MUTUAL
 INSURANCE COMPANY'S
 COUNTERCLAIM**

Complaint Filed: December 22, 2006

Assigned For All Purposes: Hon. Susan Illston

Referred to Chief Magistrate Judge James Larson
 for Settlement.

Trial Date: December 15, 2008

Based on UTICA MUTUAL INSURANCE COMPANY'S and LIBERTY MUTUAL
 INSURANCE COMPANY'S STIPULATION:

IT IS HEREBY ORDERED that the complaint of UTICA MUTUAL INSURANCE
 COMPANY and the counterclaim in intervention of LIBERTY MUTUAL INSURANCE

COMPANY are dismissed without prejudice with each party to bear its own costs and attorney's fees.



Dated:

Judge Susan Illston
United States District Court Judge

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